



Alabama – Coosa – Tallapoosa (ACT) River Basin Compact

Overview of May 1, 2003 Draft ACT Water Allocation Proposal

ACT Basin Map



Background

- Alabama has long history of being a “water rich” state
- Not without problems
 - Prior issues on the Apalachicola River
 - Droughts of 1986 and 1988
 - Drought of record set in several areas
 - Also led to Water Resources Study Commission to look at statewide water resources issues

Catalyst Issues

- 1989 - Proposals by USCOE to “reallocate” water storage from federal reservoirs in Georgia on streams flowing into Alabama.
 - For water supply
 - Involved:
 - Lake Lanier (Chattahoochee River)
 - Carters Lake & Lake Allatoona (Coosa River)
- April 1990 - GA proposed construction of reservoir on Tallapoosa River (West Georgia Regional Reservoir)
- June 1990 - Lawsuit by Alabama against USCOE specifically challenging these actions

ACT/ACF Comprehensive Study

- July 1990 to January 1992 - Discussions and negotiations held between AL, FL, GA and the USCOE regarding GA and USCOE proposals in both ACT and ACF Basins
- January 1992 – MOA signed calling for ACT/ACF Comprehensive Study.
 - Comprehensive Study organized to look at both availability of water and demands upon it.

ACT and ACF Compacts

- Comp Study efforts led to negotiations and agreements on language for two interstate compacts.
- November 1997 – ACT and ACF Compacts signed into law
 - Unique because neither contained an allocation formula
 - Processes are legally separate but politically (and hydraulically) linked
 - 1st meeting of both – February 1998

Compact Process

- Negotiations by Compact Commissioners (voting and non voting members)
- States have reached an agreement on a draft initial allocation formula
- Public Comment on the Draft Initial Formula
- After public comments and hearings, Governors will consider adoption
- If adopted, Federal Commissioner will have 210 days for review
- Deadlines:
 - ACT – July 31, 2004
 - ACF – July 31, 2003

Allocation Formula Goals

- Establish basinwide approach to water resources management
- Maintain minimum flows (“bottom side” protection)
- Responsible use and management of water (“top side” protection)
- Enforceable - Effective monitoring and reporting process
- Flexible - Periodic reviews and assessments

May 1, 2003 Draft ACT Proposal

- Significant review of Federal and stakeholder comments received on July 6, 2001 Draft Alabama ACT Allocation Proposal
- April 21, 2003 Memorandum of Understanding (MOU) between Alabama and Georgia provided foundation for agreement
- Current proposal reflects enhanced provisions for the State of Alabama

Key Elements of the Agreement

- Instream Flow Protections (“Bottom-side”)
- Responsible Water Use and Management (“Top-Side”)
- Implementation
- Administration

Instream Flow Provisions

- Coosa River Minimum Stateline Flow
 - 1,500 cfs weekly minimum (no cutbacks)
 - 1,000 cfs daily minimum
- 4,640 cfs Weekly Requirement from Jordan, Bouldin & Thurlow
- Minimum Instream Flow Policy
 - Based on Monthly 7Q10
 - Diversions from Streams
 - New Reservoirs

Top-Side Protections



Commitment for
Responsible Use and
Management

"Reasonable Use"
Clauses

Computer Model

Suspension
Clauses

Responsible Water Use and Management

- Interbasin transfers limited to 75 mgd (gradual increase to 90 then 100 mgd)
- Yield limits
- Commitment for responsible use and management
- Usage must be “reasonable” under legal definition
- Specific limits on reallocations
- Limits on new or expanded reservoirs

Reasonable Use and the Computer Model

- Joint Computer Model (HEC-5)
- Includes Mutually Agreed Upon:
 - Operational Parameters
 - Input Data Sets
 - Historic Flow Data
- Prediction of Acceptable Results
- The Computer Model will be an important tool during the implementation process

Implementation Provisions

- Monitoring
- Enforcement
- Drought Plan
- Adaptive Management

Administrative Provisions

- Agreement is for 30 years
 - Renegotiation process also defined
- Scientific Advisory Panel
- ACT Committee
- Suspension

Proposal Wrap Up

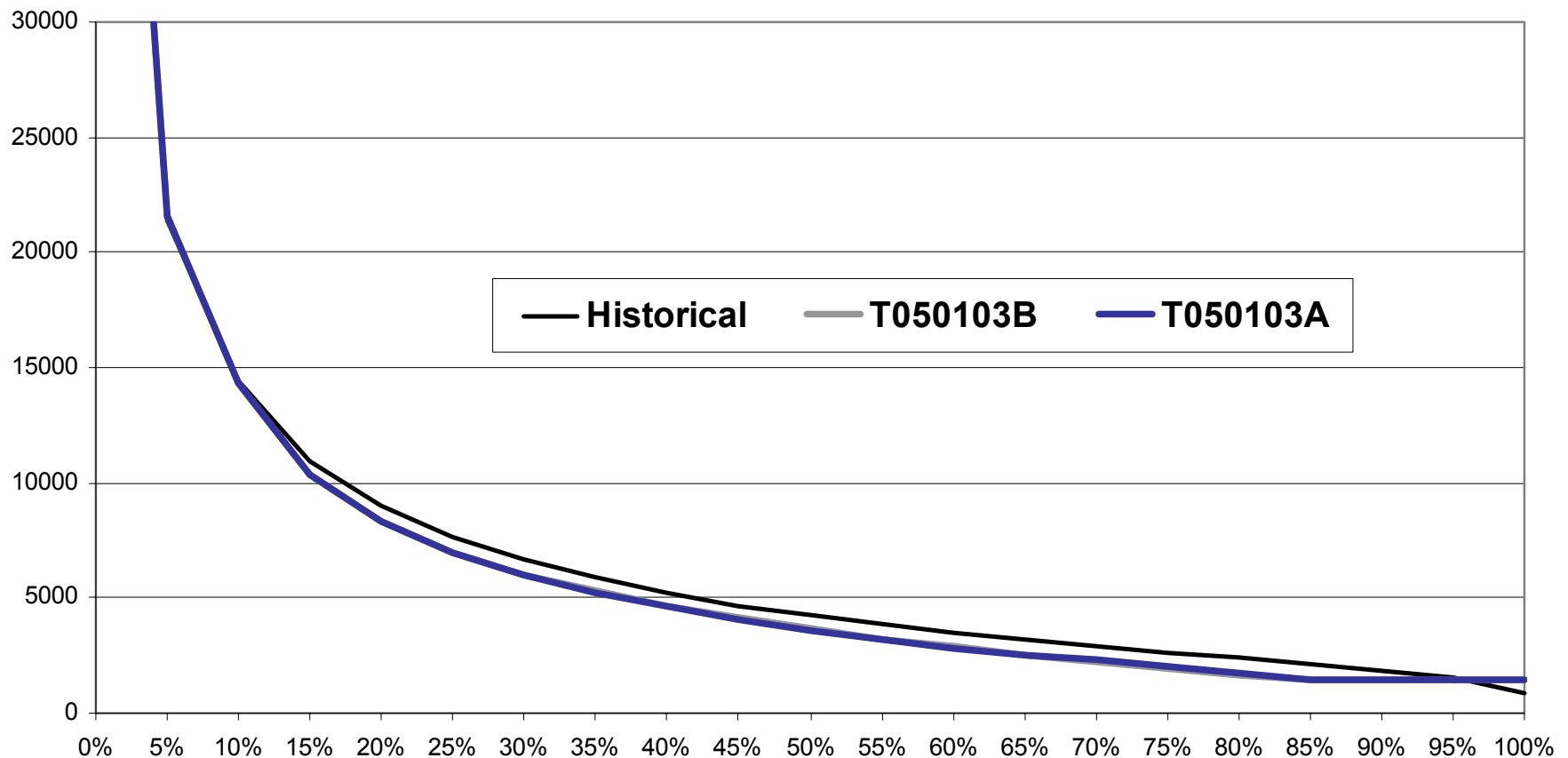
- Proposal provides an equitable allocations of water including both top and bottom side protections.
- Encourages responsible water use and basinwide management perspectives.
- Supplements all federal laws
- Significant enhancements over July 6, 2001 Alabama Proposal

HEC-5 Modeling Assumptions

- Worse case look at future projected demands
 - May or may not occur in this timeframe
- Daily versus weekly
- Interbasin transfers set to max allowable
- Reallocation withdrawals set to agreed upon limits

Flow Exceedence at Rome

Flow Exceedence Comparison



Impact on Elevations and Flows in Alabama

- Minimal impacts as a result of this agreement vast majority of the time
- Provisions to provide low flow protections that don't exist today

What's Next

- Townhall Meetings:
 - May 29, 2003 @ 6:00 pm in Gadsden
 - June 5, 2003 @ 9:00 am in Montgomery
 - June 5, 2003 @ 6:00 pm in Alex City
- Public Hearings:
 - June 10, 2003 @ 1:00 pm in Montgomery
 - June 12, 2003 in Cartersville, GA
- Public Comment period ends July 7, 2003
- Governors will then consider adoption

Questions or Comments

- The State of Alabama continues to welcome your input into this process:

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